IN THE HIGH COURT OF JUDICATURE AT BOMBAY
T. & I.J.

SHOW CAUSE NOTICE NO.2 OF 2005
IN
CHAMBER SUMMONS NO.1330 OF 2003
IN
TEST.SUIT NO.48 OF 1989
IN
PETITION NO.532 OF 1987

Enid Anna Hayden & Anr. .. Plaintiffs

Vs.

Anthony C.Henriques & Ors. .. Defendants

Mr.R.B.Jaiswal for the plaintiffs

Mr.S.Shah with Mr.V.Manandiar i/b M/s.Manandiar & Co.for the defendant no.1 to 5

Ms.M.Rajda for defendant no.4

CORAM: S.U. KAMDAR, J.

DATE : 9TH AUGUST, 2005

P.C. :

. Pursuant to issuance of show cause notice, the learned counsel appearing for defendant no. 1, 2, 3 and 5 have filed affidavit dt.9.8.05 and even orally expressed an apology for making an erroneous statement in para 4 of the affidavit dt.24.3.05. He states that he is willing to abide by the order of the costs which

may be passed by the court. He submits that in the circumstances mentioned in the affidavit in reply to show cause notice action for contempt for making false statement in para 4 earlier affidavit dt.24.3.05 should not be proceeded with. He has further stated that he has now disclosed all the facts truthfully and therefore lenient view must be taken in the matter. In view of the aforesaid circumstances, I accept the apology of the deponent of the plaintiff. I direct him to pay cost quantified @ Rs.10,000/- to the Maharashtra Legal Aid Services Authority within 7 days from today. With the aforesaid direction, show cause notice stands discharged.